THE HON'BLE MR JUSTICE GODA RAGHURAM

–

WRIT PETITION NO : 24760 of 2005

DATED: 05-12-2005

BETWEEN:

MR MUVVALA JAYA RAO .. PETITIONER

AND

STATE OF AP.REP.BY ITS SECRETARY

FISHERIES DEPARTMENT AND OTHERS …. RESPONDENTS

THE HON'BLE MR JUSTICE GODA RAGHURAM

WRIT PETITION NO : 24760 of 2005

ORAL ORDER:

The petitioner alleges that by the proceedings dated 20.10.2005 of the 4th respondent the lease agreement dated 11.09.2003 entered in to between the petitioner and the said respondent has been determined purportedly in terms of Clause 19 of the lease agreement, but allegedly in contravention of the terms and conditions of the lease particularly those pertaining to the petitioner's right and entitlement to have a renewal of the lease for a period of five years.

It is neither pleaded, urged nor demonstrated before this Court that the lease agreement dated 11.09.2003 between the petitioner and the respondents is a statutory contract. Adjudication of such post contractual disputes, non-statutory in

character is better relegated to a competent Court of Civil jurisdiction. The petitioner has an alternative remedy and an efficacious one at that. No case is made out for inference under Article 226 of the Constitution.

On the above analysis, the grievances urged in this writ petition do not recommend consideration by this court. The writ petition is accordingly dismissed. The petitioner is at liberty to pursue his appropriate remedies before the competent Court of civil jurisdiction in respect of the grievances urged in this writ petition. No costs.

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kvrm 05-12-2005